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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,489	02/22/2002	Alan Rubinstein	3COM-3766.BCG.US.P	3729

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EXAMINER
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NGUYEN, LEE

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/082,489

Applicant(s)

RUBINSTEIN ET AL.

Examiner

LEE NGUYEN

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is responsive to the communication filed 11/01/2004.

#### ***Election/Restrictions***

1. Amended submitted claim 3 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Dependent claim 3 was amended with the limitation that is distinct from the original claim 3.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 3 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 6, the claim recites "said behind said anchoring means". It is unclear to what this term refers.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4-5, 7-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Metz et al. (US 5,754,539).

Regarding claim 1, Metz teaches a multi-configuration network connection point device 8 (figs. 1, 3), comprising: a first connection interface 16 including a primary connection port 17 for communicatively coupling to an upstream network device 1, said first connection interface 16 coupled to a surface of said multi-configuration network connection device

8 (see 16 coupled to the right side of device 8; it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55); a second connection interface 9 including a secondary connection port 71 for communicatively coupling to a downstream network device via a wireless technology 7, wherein said second connection interface 9 is to be secured in a fixed location while conveniently providing said communicatively coupling to a downstream network device 7 via a wireless technology ( it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55), said second connection interface 9 coupled to a second surface of said multi-configuration network connection point device (see 9 coupled to the left side of 8, it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55); and a communication bus 13 for communicatively coupling said first connection interface 16 to said second connection interface 9.

Regarding claim 2, Metz also teaches that said first connection interface 16 comprises a single primary interface connection port 17 for coupling with a single communication path 17 to an upstream device 1 and

said second connection interface 9 comprises a plurality of interface connection ports 41, 51, 61, 71 (fig. 3).

Regarding claim 4, Metz inherently teaches a fault detection means for processing and interpreting data in fault detection and isolation operations (see the rejection of claims 13).

Regarding claim 5, Metz further teaches that said secondary connection interface 9 is configured for convenient placement in fixed locations in a manner that facilitates maintenance of system integrity and security (it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55).

Regarding claim 7, Metz teaches a multi-configuration network connection point device 8 (figs. 1, 3), comprising: a first connection interface 16 including a primary connection port 17 for communicatively coupling to an upstream network device 1; a second connection interface 9 including a secondary connection port 71 for communicatively coupling to a downstream network device via a wireless technology 7, wherein said second connection interface 9 is adapted to be secured in a fixed location (it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55), while

conveniently providing said communicatively coupling to a downstream network device via a wireless technology 7; a means 12 for intelligently concentrating data from a plurality of interface connection ports 41, 51, 61, 71 included in said second connection interface 16 for communication on said primary connection port 17 of said first connection interface 16; and a communication bus 13 for communicatively coupling said first connection interface 16 to said second connection interface 9.

Regarding claim 8, Metz also teaches that said first connection interface 16 comprises a single primary interface connection port 17.

Regarding claim 9, Metz also teaches that said second connection interface 9 comprises a plurality of interface connection ports 41, 51, 61, 71 (fig. 3).

Regarding claim 10, Metz also teaches that said first connection interface 16 couples to a singular communication path 17 to an upstream device 1 (figs. 1, 3).

Regarding claim 11, Metz also teaches that said secondary connection interface 9 is configured for convenient placement in fixed locations in a manner that facilitates maintenance of system integrity and

security (it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55).

Regarding claims 12-13, Metz further teaches a means or fault detection 16 for processing and interpreting data coupled to a first interface 17 (col. 3, 40-47 and col. 4, 18-22).

Regarding claim 14, Metz inherently teaches a processing unit 16 for processing information; and a memory for storing said information (col. 4, 12-22).

Regarding claim 15, Metz teaches a multi-configuration network connection point method (figs. 1, 3), comprising: providing a single connection point 17 on a primary communication interface 16; providing a plurality of connection points 41, 51, 61, 71 on a secondary communication interface 9; and coupling the single connection point 17 on a primary communication interface 16 to the plurality of connection points 41, 51, 61, 71 on a secondary communication interface 9.

Regarding claim 16, Metz also teaches that the single connection point 17 couples to a single communication path to upstream network device 1 (figs. 1, 3).



Regarding claim 17, Metz further teaches that the single connection point is configured for fixed placement in a concealed environment 8 (it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55).

Regarding claim 18, Metz further teaches that the secondary communication interface 9 is adapted to be secured in a fixed location while conveniently providing said communicative coupling to a downstream network device 7 via a wireless technology (it is noticed that the device 8 is expanded and integrated within the work station 3, see col. 2, line 66 through col. 3, line 4 and lines 51-55).

Regarding claim 19, Metz also teaches intelligently concentrating data (from 16, fig. 3) from a plurality of interface connection ports 41, 51 61, 71 included of said second connection interface 9 for communication on said primary connection port 17 of a first connection interface 16 (see ATM, col. 4, 12-22).

### ***Response to Arguments***

6. Applicant's arguments filed 11/01/2004 have been fully considered but they are not persuasive.

In the remarks, Applicant contends that reference number 2 does not indicate a device body.

In response, this office action has revised the corresponding numerals in the Metz reference corresponding the claimed limitation.

The device 8 should have a surface so that the primary connection port can be connected thereto (see fig. 3).

Applicant further contends that Metz does not teach a second connection interface which is secured in fixed location and is coupled to a second surface of the device.

In response, the second interface 9 must be connected to the left side of the device 8 so that other ports including wireless port 71 can connect thereto (see fig. 3).

Applicant further contends that physical layer 17 is not included in unit 8.

In response, numeral 17 is cited for a clear reference to figure 3.

Applicant should be able to realize that the input/output from the first connection interface 16 connected to physical layer 17 is the primary connection port.

Applicant further contends that the coupling array 9 of Metz is not a communication bus.

In response, what specifically is applicant's communication bus?

Furthermore, numeral 13 now reads on the claimed bus.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone

number is (571)-272-7854. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 6/24/05  
LEE NGUYEN  
Primary Examiner  
Art Unit 2682